

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

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MOOG INC.,

Plaintiff,

Case No.: 22-cv-187-LJV-JJM

vs.

SKYRYSE, INC. ROBERT ALIN PILKINGTON, MISOOK
KIM, and DOES NOS. 1-50

Defendants.
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**NOTICE OF ROBERT ALIN PILKINGTON AND MISOOK KIM'S MOTION TO
CLAW BACK MATERIALS PROVIDED UNDER THE PROTECTIVE ORDER**

PLEASE TAKE NOTICE THAT, upon the accompanying Motion to Claw Back Materials Provided Under the Protective Order, Memorandum of Law, and Declaration of Anthony D. Green, together with all exhibits and prior proceedings before the Court, defendants Robert Alin Pilkington and Misook Kim (collectively, the "Individual Defendants"), through their undersigned counsel, Winget Spadafora & Schwartzberg LLP, hereby moves this Court for an Order granting the following relief:

- (1) Uphold the Individual Defendants' decision to claw back their twenty-three electronic devices currently in the custody of iDS;
- (2) Finding that no waiver of the Individual Defendants' Fifth Amendment rights occurred; and
- (3) such further relief as the Court deems equitable just and proper.

In accordance with Local Rule 7(a)(1), the Individual Defendants reserve the right to file and serve reply papers. The Individual Defendants respectfully request that the hearing on this Motion take place during the conference already scheduled on September 12, 2022, or at the

Court's earliest convenience, and that any opposition brief be due on August 18, 2022 and the Individual Defendants' reply brief be due on August 25, 2022.

Dated: New York, New York
August 11, 2022

**WINGET, SPADAFORA &
SCHWARTZBERG, LLP**

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